

Congress of the United States
Washington, DC 20515

November 21, 2022

The Honorable Merrick Garland
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

The Honorable Alejandro Mayorkas
Secretary
U.S. Department of Homeland Security
245 Murray Lane, SW
Washington, DC 20528

Dear Attorney General Garland and Secretary Mayorkas:

Since January 2021, more than 1.8 million aliens entered the United States illegally, were apprehended by Border Patrol at the Southwest border, and processed under Title 8. Given the Biden Administration's open borders policies and consistent lack of enforcement of immigration laws, we request that you provide us information regarding your respective Departments' efforts to prosecute aliens entering the country illegally.

Please provide answers to the following questions and the requested documents to us no later than December 2, 2022.

1. Since January 20, 2021, how many aliens has DHS referred to DOJ for prosecution under either 8 U.S.C. 1325 or 8 U.S.C. 1326?
2. Since January 20, 2021, how many aliens has DOJ charged under 8 U.S.C. 1325 or 8 U.S.C. 1326?
3. Since January 20, 2021, how many aliens have been convicted of violating 8 U.S.C. 1325 or 8 U.S.C. 1326?
4. Since January 20, 2021, how many aliens who were charged under 8 U.S.C. 1325 or 8 U.S.C. 1326 have had the charges dismissed?
5. Please provide the reasons each charge was dismissed.
6. Please provide copies of all memoranda, guidance documents, or other materials provided to DHS employees regarding the referral of aliens for prosecution under 8 U.S.C. 1325 or 8 U.S.C. 1326.
7. Please provide copies of all memoranda, guidance documents, or other materials provided to DOJ employees regarding the prosecution of aliens under 8 U.S.C. 1325 or 8 U.S.C. 1326.

We look forward to receiving the requested information.

Sincerely,



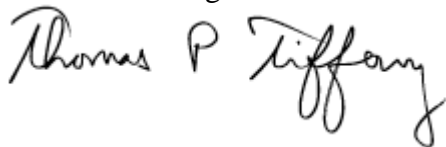
Andy Biggs
Member of Congress



Matt Gaetz
Member of Congress



Doug Lamborn
Member of Congress



Tom Tiffany
Member of Congress



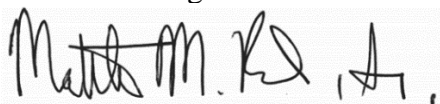
Diana Harshbarger
Member of Congress



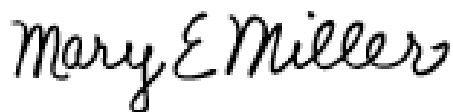
Dan Bishop
Member of Congress



W. Gregory Steube
Member of Congress



Matt Rosendale
Member of Congress



Mary E. Miller
Member of Congress



Jeff Duncan
Member of Congress



Marjorie Taylor Greene
Member of Congress



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